

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONALD RAY ELLIS,

Case No. C09-02173 JCS

Plaintiff(s),

**ORDER TO FILE AMENDED  
COMPLAINT**

v.

CITY OF PITTSBURG, ET AL.,

Defendant(s).

On August 28, 2009, Plaintiff advised the Court that he may not have been served a copy of the Court's June 9, 2009 Order, which is attached as Exhibit A.

IT IS HEREBY ORDERED that the Plaintiff shall have thirty (30) days from the date of this Order to file his amended complaint. Plaintiff also filed a Declination to Proceed before the Magistrate Judge. On May 21, 2009, Plaintiff previously filed a Consent to the Jurisdiction of the Magistrate Judge which cannot be withdrawn without proper showing and this matter shall proceed before Judge Spero.

IT IS SO ORDERED.

Dated: August 31, 2009

  
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JOSEPH C. SPERO  
United States Magistrate Judge